HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.20639 of 2005

Dated 21st September, 2005

Between:

Nawab Mohd. Iqbaluddin Khan

and two others .. Petitioner

and

The Director General of Police,

Government of Andhra Pradesh,

Hyderabad and three others .. Respondents

HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.20639 of 2005

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the F.I.R. No.1122 of 2002, dated 12.10.2002 and charge sheet dated Nil as contrary to law and to set aside the same.

The learned counsel for the petitioner has submitted that as the 1st petitioner is aged about 85 years and his right leg below the knee is

amputated, and a false case against him is filed, he prays to quash the same.

It is the statutory duty of the police to conduct investigation. Based on the complaint lodged by Sri Syed Sujath Ali, the police registered a case in Cr.No.1166 of 2002 under Sections 465, 468, 471 r/w Section 34 I.P.C. and investigated into and field the charge sheet. The competency of the police to conduct investigation is neither denied nor disputed. The only grievance of the 1st petitioner is that as his right leg has been amputated and he is more than 85 years and secondly, a false case is foisted against him, this writ petition is filed. It is not for this Court to decide whether it is a false case or free case, but for the competent Court of criminal jurisdiction in which the criminal case is pending to decide the same.

The writ petition is devoid of merits and is dismissed. No costs.

21.09.2005

bcj